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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) NO. CR 14-00236 JST
)
Plaintiff,) STIPULATION AND PROPOSED ORDER
) CONTINUING MOTION HEARING DATE
v.) SETTING AND SETTING DEADLINE FOR
) DEFENDANT'S REPLY BRIEF AND
ROBERT AKOLO,) EXCLUDING TIME FROM THE SPEEDY TRIAL
) ACT CALCULATION
Defendant.)
)

A hearing on the defendant's motion to dismiss of outrageous government conduct is currently scheduled for February 2, 2015, at 2:00 p.m. Government counsel is scheduled to start a trial in *United States v. Adrian Jemison*, CR 14-00389 YGR, on the same date. Therefore, the parties hereby stipulate to continue the hearing on the defendant's motion to dismiss to February 23, 2015, at 2:00 p.m. The parties also agree that to modify the briefing schedule to allow the defendant's reply brief to be filed no later than February 9, 2015.

Furthermore, the parties agree to an exclusion of time under the Speedy Trial Act from February 2, 2015, through February 23, 2015, based upon the need for effective preparation of counsel and to provide the defendant an opportunity to review newly produced discovery with the defendant.

Therefore, the parties agree, and the Court finds and holds, as follows:

1. The hearing on the defendant's motion to dismiss for outrageous government conduct is continued to February 23, 2014, at 2:00 p.m. The defendant's reply brief shall be due not later than February 9, 2015.

2. The defendant agrees to an exclusion of time under the Speedy Trial Act from February 2, 2015, through February 23, 2015, based upon the need for effective preparation of counsel. The defendant agrees to this exclusion on the condition that his right to bring motions claiming Speedy Trial Act violations prior to February 2, 2015, shall remain preserved.

3. Counsel for the defendant believes that the exclusion of time is in her client's best interest.

4. Given these circumstances, the Court finds that the ends of justice served by excluding the period from February 2, 2015, through February 23, 2015, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

5. Accordingly, the Court orders that the period from February 2, 2015, through February 23, 2015, shall be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO STIPULATED:

DATED: January 21, 2015


_____/s/
CLAIRE LEARY
Attorney for Defendant Akolo

DATED: January 21, 2015

_____/s/
AARON D. WEGNER
Assistant United States Attorney

IT IS SO ORDERED.

DATED: January 23, 2015



HON. JON S. TIGAR
United States District Judge